

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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No. 19-10197

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UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

ERIC GERARD MCGINNIS,

Defendant - Appellant

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Appeal from the United States District Court  
for the Northern District of Texas

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ON PETITION FOR REHEARING EN BANC

(Opinion April 21, 2020, 5 Cir., \_\_\_\_\_, \_\_\_\_\_ F.3d \_\_\_\_\_)

Before HIGGINBOTHAM, JONES, and DUNCAN, Circuit Judges.

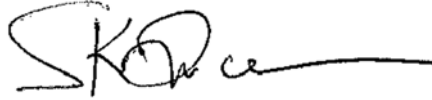
PER CURIAM:

- (x) Treating the Petition for Rehearing En Banc as a Petition for Panel Rehearing, the Petition for Panel Rehearing is DENIED. No member of the panel nor judge in regular active service of the court having requested that the court be polled on Rehearing En Banc (FED. R. APP. P. and 5TH CIR. R. 35), the Petition for Rehearing En Banc is DENIED.
- ( ) Treating the Petition for Rehearing En Banc as a Petition for Panel Rehearing, the Petition for Panel Rehearing is DENIED. The court having been polled at the request of one of the members of the court and a majority of the judges who are in regular active service and not

No. 19-10197

disqualified not having voted in favor (FED. R. APP. P. and 5TH CIR. R. 35), the Petition for Rehearing En Banc is DENIED.

ENTERED FOR THE COURT:

A handwritten signature in black ink, appearing to read 'SKD', followed by a long horizontal flourish.

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STUART KYLE DUNCAN  
UNITED STATES CIRCUIT JUDGE

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

July 01, 2020

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 19-10197 USA v. Eric McGinnis  
USDC No. 3:17-CR-499-1

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Casey A. Sullivan, Deputy Clerk  
504-310-7642

Mr. Brandon Elliott Beck  
Mr. Andrew Laing  
Ms. Karen S. Mitchell  
Mr. Juan Gabriel Rodriguez  
Ms. Leigha Amy Simonton